

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

May 8, 2002

DIVISION THREE

B155364 Pablo S., Sr., et al.
 v.
 Superior Court, Los Angeles County
 (Department of Children and Family Services, r.p.i.)

Filed order certifying opinion for publication.

DIVISION FIVE

Court convened at 9:00 A.M.

Present: Turner, P.J., Grignon, J., Mosk, J. and Zaida G. Heraldez, Deputy Clerk.

Each of the following:

B151887 People v. Albert Wilson
B151315 People v. James Crittenden
B147075 People v. Alberto & Alejandro Beltran
B156017 Edmundo B. v. SCLA (DCFS)

Argument waived, cause submitted.

B150017 Jerold Daniel Friedman
 v.
 Southern Cal. Permanente Group

Merits:
Argued by Scott D. Myer for appellant and by F. Scott Page for
respondents. Cause submitted.

DIVISION FIVE (Continued)

B144759 Kenneth Lo et al.
 v.
 Moshe I. Levi

Merits:

Argued by David E.R. Woolley for appellants and by Nadine Salim for respondent. Cause submitted.

B152891 People
 v.
 Brian Washington

Merits:

Argued by Leonard Klaif for appellant and by Jim Hart, deputy attorney general, for respondent. Cause submitted.

B153290 Khybrette Neal
 v.
 Health Net, Inc. et al.

Merits:

Argued by Michael S. Traylor for appellant and by Christine T. Hoeffner for respondents. Cause submitted.

B152379 Sharlene Ayestaran
 v.
 Cooperative of American Physicians, Inc., et al.

Merits:

Argued by Alan Yockelson for appellant and by Armand K. Mines & Charles Schoemaker, Jr. for respondents. Cause submitted.

Court recessed.

May 8, 2002-Continued

DIVISION FIVE (Continued)

Court reconvened at 11:00 A.M.

Present: Turner, P.J., Armstrong, J., Mosk, J. and Zaida G. Heraldez, Deputy Clerk.

Each of the following:

B152167 People v. Rashad Alvi
B154957 People v. Ja-Mon Williams
B151914 People v. Vincent Dean
B151927 People v. Alberto Gonzales

Argument waived, cause submitted.

B156539 Equis Corporation
 v.
 Superior Court, Los Angeles County
 (Christina Development Corp. et al., r.p.i.)

Merits:

Argued by Stephanie Rae Williams for petitioner and by Lisa M. Jacobsen
for real party in interest. Cause submitted.

Court recessed.

Court reconvened at 1:00 P.M.

Present: Grignon, J., Armstrong, J., Mosk, J. and Zaida G. Heraldez,, Deputy Clerk.

B150363 Abelardo Avila
 v.
 City of Long Beach et al.

Merits:

Argued by James B. Russell by appellant and by Daniel S. Murphy, deputy
city attorney, for respondents. Cause submitted.

DIVISION FIVE (Continued)

B148691 Leah Brown et al.
v.
Simpson Family Mortuary

Merits:
Argued by Wilmont A. Odom for and by George E. Omoko for respondent.
Cause submitted.

Court adjourned.

B149627 Sylvia F. Loving
v.
Cedars-Sinai Medical Center

Filed order denying petition for rehearing.

B152125 Los Angeles County, D.C.S.
v.
Demtrius S.

Filed order denying petition for rehearing.

DIVISION SIX

Court convened at 9:00 A.M.

Present: Gilbert, P.J., Yegan, J., Coffee, J. and G. Bents, Deputy Clerk.

B151572 Santa Barbara Co. v. Mariscal

Argument waived, cause submitted.

B156781 Robert D. and Darla D. v. San Luis Obispo Co. Superior Court

Presentation waived, cause submitted.

DIVISION SIX (Continued)

B149692 Wallace v. Weinstock

Argument continued to May 9, 2002.

B151574 The People v. Accredited Surety & Casualty Co.

Argument continued to June, 2002.

B139930 Track Mortgage Group, Inc.
v.
Crusader Insurance Co.

Merits:

Argued by Dennis H. Doss for appellant/cross-respondent and by Gerald Peters for respondent/cross-appellant. Argument waived by respondent Wolfriver Holding Corp. pursuant to Rule 17(a)(2), Calif. Rules of Court. Cause submitted.

B151132 Beluris
v.
Gateley

Merits:

Argued by Michael L. Meeks for appellant, Gregory Alan Sargenti for respondents Gateley, Mark C. Carlson for respondents Malands, and by Robert T. Dolan for respondents J & S Herrick Investments, Inc. Cause submitted.

Court recessed at 10:10 A.M.

Court reconvened at 1:30 P.M.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J. and G. Bents, Deputy Clerk.

DIVISION SIX (Continued)

B152219 Hamilton v. Rieman

Argument waived, cause submitted.

B151900 LaBrie
v.
McCormack

Merits:

Argued by Victoria LaBrie, appellant appearing in propria persona, and by Edward Earl Denton for respondents. Cause submitted.

B156777 Kelly R.
v.
Santa Barbara Co. Superior Court
Child Protective Services

Extraordinary:

Presented by Mary Spear, Deputy Public Defender, for petitioner and by Toni Lorien, deputy county counsel, for real party in interest. Cause submitted.

B153806 Ventura County
v.
Ventura Co. Deputy Sheriffs' Assoc.

Merits:

Argued by Stephen H. Silver for appellant and by Steven L. Mayer for respondent. Cause submitted.

Gilbert, P.J. left the bench.

DIVISION SIX (Continued)

B155026 Atascadero Unified School Dist.
v.
Workers' Compensation Appeals Board
Geredes

Review:

Presented by Kim Enriquez for petitioner and by William A. Herreras for respondent Geredes. Presentation previously waived by respondent Workers' Compensation Appeals Board. Cause submitted.

Court adjourned at 2:45 P.M.

DIVISION SEVEN

B150669 People (Not for Publication)
v.
Devon Ray Littlejohn

The judgment is affirmed.

Perluss, J.

We concur: Lillie, P.J.
Johnson, J.

B150575 People (Not for Publication)
v.
Harold S. Higgins

The judgment is affirmed.

Perluss, J.

We concur: Lillie, P.J.
Johnson, J.

DIVISION SEVEN (Continued)

B149562 United Ribbon Co. (Not for Publication)
 v.
 Coast to Coast Computer Products

The order is reversed with directions to the trial court to modify the terms of the injunction consistent with the opinion. Each party shall bear its own costs on appeal.

Munoz, J. (Assigned)

We concur: Lillie, P.J.
 Perluss, J.

B148171 People (Certified for Publication)
 v.
 National Automobile and Casualty Insurance Company

The order is reversed and the cause remanded to the trial court with directions to vacate the forfeiture and exonerate the bond. National shall recover its costs of appeal.

Johnson, J.

We concur: Lillie, P.J.
 Woods, J.

B151117 People (Not for Publication)
 v.
 Adams

The order of sentencing is vacated and the cause is remanded for resentencing in accord with the views expressed in this opinion. In all other respects, the judgment is affirmed.

Johnson, J.

We concur: Lillie, P.J.
 Perluss, J.

DIVISION SEVEN (Continued)

B149125 People
v.
Moore

(Not for Publication)

The judgment is modified to stay the two-year middle term imposed concurrently for the count 4 offense of felon possessing a firearm, a violation of Penal Code section 12021. In all other respects, the judgment is affirmed.

Johnson, Acting P.J.

We concur: Woods, J.
Perluss, J.

B148185 People (Not for Publication)
v.
Heath

The judgment is modified to stay the two-year middle term imposed concurrently for the count 4 offense of felon possessing a firearm, a violation of Penal Code section 12021. In all other respects, the judgment is affirmed.

Johnson, J.

We concur: Lillie, P.J.
Perluss, J.

B151081 People (Not for Publication)
v.
Miller

The judgment is affirmed.

Johnson, J.

We concur: Lillie, P.J.
Woods, J.

DIVISION SEVEN (Continued)

B147340 People (Not for Publication)
v.
Cesar G., a minor

The order awarding 96 days of confinement credit against the maximum theoretical period of confinement is stricken. In lieu thereof, the minor is awarded 97 days of confinement credit against his maximum theoretical period of confinement. In all other respects, the order under review is affirmed.

Johnson, J.

We concur: Lillie, P.J.
Woods, J.

B156200 Sarah M. (Not for Publication)
v.
Superior Court, Los Angeles County
(D.C.F.S., Los Angeles County, r.p.i.)

The petition is dismissed as to Antoinette and denied as to Esther.

Johnson, J.

We concur: Lillie, P.J.
Perluss, J.

DIVISION EIGHT

B147829 People (Not for Publication)
v.
Kwamin Stewart

The Penal Code section 186.22, subdivision (b) enhancement is vacated. As modified, the judgment is affirmed.

Boland, J.

We concur: Cooper, P.J.
Rubin, J.

DIVISION EIGHT (Continued)

B145601 People (Not for Publication)
v.
Sabastian Ortiz

The judgment is affirmed.

Boland, J.

We concur: Cooper, P.J.
Rubin, J.

B148913 Los Angeles County, D.C.F.S.
v.
LISA C.,
In re Patricia C., et al., Persons Coming Under the Juvenile Court Law.

Filed order modifying opinion. (No change in the judgment)

B150667 People
v.
Darlo Starr

Filed order denying petition for rehearing.